ROBERT SCHULEIN

IBLA 79-140 79-204

Decided July 31, 1979

Appeals from decisions of the Nevada State Office, Bureau of Land Management, requiring execution of special stipulations prior to issuance of oil and gas leases N 17885 et al.

Reversed and remanded.

1. Oil and Gas: Stipulations

Where the surface administering agency proposes stipulations to protect the wilderness potential of National Forest lands from oil and gas operations, additional stipulations to that end are not to be imposed by the Bureau of Land Management, absent a compelling showing of need therefor.

APPEARANCES: C. M. Peterson Esq., Poulson, Odell & Peterson, Denver, Colorado, for appellant.

OPINION BY ADMINISTRATIVE JUDGE FISHMAN

Robert Schulein appeals from four decisions of the Nevada State Office, Bureau of Land Management (BLM), dated December 11, 1978, and January 12, 22, and 23, 1979, requiring the execution of special stipulations in connection with certain oil and gas lease offers 1/ made by the appellant for lands in the Humboldt National Forest.

[1] These appeals involve the same appellant, factual circumstances and legal issues that we considered in <u>Robert Schulein</u>,

 $\underline{1}$ / The lease offers included in the respective docket numbers are: IBLA 79-140: N-17885, N-17887, 79-204: N-17870, N-17871, N-17874, N-17875, N-17879, N-17886, N-17945.

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41 IBLA 253 (1979). We determined in that decision that "[e]xecution of the stipulations requested by the Forest Service is deemed sufficient to protect the wilderness aspects of the lands in issue" and that BLM demonstrated no compelling circumstances justifying the execution of an additional stipulation, OG-22, to that end. BLM similarily has shown no need therefor in the cases at bar.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decisions appealed from are reversed and the cases remanded for further processing consistent herewith.

Frederick Fishman Administrative Judge

We concur:

Douglas E. Henriques Administrative Judge

Edward W. Stuebing Administrative Judge

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